

REMARKS

In the Office Action dated September 18, 1996 regarding this application, the pending claims of the application, claims 4-32, were found to be allowable. Upon further review of these claims, applicants have determined that two corrections should be made to each of independent claims 4, 15, 19, 27 and 29-32, which each contain the structural formula for the compounds of the invention. Accordingly, claims 4, 15, 19, 27, and 29-32 have each been amended to correct the definition of R_6 , R_{10} , R_{11} , R_{12} , R_{13} by deleting text in the fourth thru sixth lines of the definition, as indicated above. These claims have also each been amended to add a further limitation to end of the definition of the "Z's", as also indicated above.

Applicants do not believe that the patentability of any of these claims is affected by these amendments, and entry of these amendments is requested.

Further, new claims 62 and 63 have been added by amendment, and applicants request entry of this amendment. Support for new compound claim 62 is found, for example, at pp. 9-12 of the specification of this application. Support for new pharmaceutical composition claim 63 is found, for example, at pp. 9-12, 68, and 97-98 of the specification of this application.

In the Office Action dated September 18, 1996, in addition to finding claims 4-32 allowable, the Examiner suspended ex parte prosecution of the application due to a potential interference. In applicants' prior Response and Amendment mailed

June 4, 1996, applicants identified U.S. Patent No. 5,466,861, which issued November 14, 1995, as containing interfering subject matter to the claims allowable in this application, which subject matter was first disclosed in applicants' priority application, U.S. Serial No. 07,872,707 filed April 22, 1992. Pursuant to 37 C.F.R. § 1.607, applicants request declaration of an interference between this application and U.S. Patent No. 5,466,861 and propose the contents of new claim 62 of this application as a proposed count for such interference. Applicants identify at least claims 12 and 13 of U.S. Patent No. 5,466,861 as corresponding to that proposed count. For example, claim 12 of interfering U.S. Patent No. 5,466,861 corresponds to the first structure of the proposed count where R' and R" together form an oxo and X is COOH; it also corresponds exactly to the compound shown on, e.g., page 16 of the specification of this application. Claim 13 of interfering U.S. Patent No. 5,466,861 corresponds to the first structure of the proposed count where R' and R" together form methano and X is COOH; it also corresponds exactly to the compound shown, e.g., on page 16 of the specification of this application.

In applicants' prior Response and Amendment mailed June 4, 1996, applicants also identified U.S. Patent No. 5,399,586, which issued on March 21, 1995, as also containing interfering subject matter to the claims allowable in this application and first disclosed in applicants' priority application. Pursuant to 37 C.F.R. § 1.607, applicants request declaration of an interference between this application and U.S. Patent No. 5,399,586

and propose a count as shown below, to which claims 1 and/or 2 of the patent and claim 22 of applicants' application correspond:


(Proposed Count): A method for inducing in vivo the process of programmed cell death comprising causing said process to be conducted in the presence of a retinoid compound which selectively activates Retinoid X Receptors.

Applicants do not believe that any fees are required as a result of this Amendment. Nevertheless, the Assistant Commissioner is hereby authorized to charge any fees which may be required by this communication to Deposit Account No. 12-2475.

Respectfully submitted,

LYON & LYON LLP

Dated: November 13, 1996

By: 
Hope E. Melville
Reg. No. 34,874

LYON & LYON LLP
633 West Fifth Street, Suite 4700
Los Angeles, California 90071-2066
(213) 489-1600